

ADMINISTRATIVE - INTERNAL USE ONLY

13 May 1977

OFFICE OF PERSONNEL MEMORANDUM NO. 20-29-8 (Revised)

SUBJECT : Premium Pay for Government Printing (GP) and Graphic Arts (GA) Employees

RESCISSION: OPM 20-29-8 dated 18 July 1969

1. POLICY

a. Premium pay includes night differential, overtime, Sunday and holiday pay. Premium pay is based upon basic rates established in the following prevailing rate schedules:

- (1) Government Printing Schedule (GP)
- (2) Graphic Arts Schedule (GA)

b. The Position Management and Compensation Division, Office of Personnel, will issue current prevailing rate schedules. Such schedules will specify the basic rates for employees assigned to day shifts and will indicate the amount of differential to be added for those assigned to night shifts.

c. Computation and payment of basic salary and premium pay will be made by the payroll office in accordance with these guidelines and will be based upon the duty status reports of hours worked.

d. Employees who are nonexempt from the overtime provisions of the Fair Labor Standards Act (FLSA), will have their overtime entitlements computed under FLSA if this results in a higher rate than computation under other applicable pay laws.

2. PREMIUM PAY ENTITLEMENTS

a. NIGHT DIFFERENTIAL

- (1) Rates

GP and GA employees will be paid a basic night rate equal to the basic day rate plus 15%.

(2) General (GP and GA Employees)

(a) A night rate will be paid for a regularly scheduled shift when at least five hours of the regular 8 hour shift fall between 6:00 p.m. and 6:00 a.m.

(b) Night rates for all prevailing rate employees constitute a separate base pay for all pay purposes, including overtime compensation, holiday pay, Sunday pay, retirement and group life insurance deductions, and environmental differential.

(c) Lump-sum leave payments will be made at the basic night rate for all regularly scheduled periods of night shift duty covered by the unused annual leave credited to an employee (and allowable for payment) on the effective date of separation. Where a night shift has been canceled or an employee has been regularly scheduled for the day shift on or before the date of separation, lump-sum leave will be paid at the basic pay rate.

(d) Payment of night rates is subject to a prohibition on premium pay during periods of training and incidental travel time (see paragraph 3 below).

(3) Temporary Assignments Between Day and Night Shift (GP and GA Employees)

Compensation is determined by the duty tour. An employee receives the night rate only when on night duty. A night duty employee temporarily assigned to a day shift receives the day rate. Likewise, a day shift employee temporarily assigned to the night shift receives the night rate.

(4) For GP and GA employee's entitlement to the night rate during a period of leave depends on the shift to which the employee is assigned at the time leave began and the duration of such assignment.

(a) An employee assigned to a full-time night shift will continue to receive compensation at the night rate while on leave.

(b) An employee on a regular rotating schedule with both day and night shifts will be paid the day rate for that portion of leave when the day shift would have been worked, and will be paid the night rate for that portion of leave when the night shift would have been worked.

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(c) An employee temporarily assigned to a night shift will be paid compensation as follows:

(1) If the assignment to the night shift is of indefinite duration, payment will be made at the night rate for such part of the leave period as the employee would have been required to work on the night shift.

(2) If the assignment to the night shift is of specified duration, the employee will be paid the night rate for that portion of the leave period which falls within the specified period of assignment to the night shift.

(d) If changes from day shift to night shift are at irregular intervals and the basic shift assignment cannot be determined, compensation during a period of leave will be at the rate applicable to the shift on which the employee was working at the time leave began.

b. OVERTIME (GP AND GA EMPLOYEES)

Overtime rates are payable for all authorized hours of work or standby time in excess of 8 hours per day or in excess of 40 hours in an administrative workweek to all prevailing rate employees, including those serving on an intermittent (when-actually-employed) basis, subject to the prohibition on payment during periods of training and incidental travel time as set forth in paragraph 3 below. Compensatory time off may not be substituted for overtime payment.

(1) Overtime Rates

(a) The overtime rate is one and one-half times the basic rate applicable to the shift to which the employee is assigned.

(b) Overtime compensation for a regular shift employee will be computed on the night rate, even though the hours of overtime worked fall partially or entirely within a day shift.

(c) Overtime compensation for a regular day shift employee will be computed on the day rate, even though the hours of overtime worked fall partially or entirely within a night shift. Call-back overtime for a day shift employee will be paid at the rate appropriate for the hour of return to work.

(d) Overtime compensation for an employee working rotating shifts, and who performs overtime work on a non-workday, will be computed on the rate in effect on the employee's last regularly scheduled shift.

(2) Criteria for Payment

(a) 8 Hours Per Day

Before overtime rates may be paid for work in excess of 8 hours per day, the employee must be in a pay status (work or paid leave) for 8 hours at straight-time rates on that day. Thus, for example, if an employee who has a regularly scheduled 10-hour workday is on annual leave for 2 hours during the first 8 hours of the workday and is in a work status for the other 8 hours, the entitlement is for overtime pay for the last 2 hours worked. If, on the other hand, the employee is in a work status for the first 8 hours and takes annual leave for the last 2 hours, the entitlement is only for straight-time pay for the 10 hours. Further, if the employee should be in a non-pay status for 2 hours during the first 8 hours of the workday and in a work status for the other 8 hours, the entitlement would be straight-time pay for 8 hours.

(b) 40 Hours Per Week

(1) The total number of hours in excess of 40 per week for which overtime rates are payable is computed separately for each administrative workweek (defined as Sunday through the following Saturday). The hours worked in one administrative workweek may not be combined with hours worked in another for overtime payment purposes.

(2) Leave with pay (such as annual, sick, court, and military leave) and holidays on which no work is performed but for which compensation is payable will be counted toward the 40 hours per week when determining the hours in excess of 40 per week for which overtime rates are payable.

(c) Combination 8 Hours Per Day and 40 Hours Per Week

When work is performed in excess of 8 hours on one or more days and in excess of 40 hours during the administrative workweek, the basis for overtime payment will be determined by comparing the weekly total of hours in excess of 8 per day and the weekly total of hours in excess of 40.

(1) If the weekly total of hours in excess of 8 per day either equals or exceeds the total hours in excess of 40 per week, the overtime payment will be made on the basis of the hours in excess of 8 per day. Thus, for example, if an employee works regular

tour of four 10-hour days, Monday through Thursday, and then works an additional 5 hours on Friday, the employee will receive overtime pay for the 8 hours worked in excess of 8 hours per day, and will receive straight-time pay (rather than overtime) for the 5 hours worked in excess of 40 hours per week.

(2) If the weekly total of hours in excess of 8 per day is less than the total hours in excess of 40 per week, the overtime payment will be made on the basis of the hours in excess of 40 per week. Thus, for example, if an employee works a regular tour of four 10-hour days, Monday through Thursday, and then works 8 hours on Friday and 8 hours on Saturday, the employee will receive overtime pay for the 16 hours in excess of 40 per week and no overtime would be payable for the total of 8 hours worked in excess of 8 hours per day.

(3) Regular Overtime

Regular overtime is overtime scheduled in advance for specified periods on stated days and will recur over an extended period (at least two administrative workweeks):

(4) Irregular Overtime

Irregular overtime is overtime performed on an intermittent or occasional basis, even though planned or scheduled in advance of performance.

(5) Call-Back Overtime

Whenever an employee is called back to perform unscheduled irregular overtime work either on a regular workday after completing a tour and departing, or outside the hours of a regular tour on a holiday, or on a scheduled nonworkday, such work will be considered at least 2 hours in duration. An employee is entitled to a minimum of 2 hours pay for each separate time called back, even though the second or subsequent return may be required before expiration of 2 hours from the time the employee previously reported for duty.

(6) Effect of Overtime Pay on Retirement and FEGLI

Overtime pay for work in excess of 40 hours per week or for irregular overtime work in excess of 8 hours per day is in addition to and not a part of basic pay, and will not be included in the amount of basic pay upon which retirement and group life insurance deductions are computed. However, when the 40-hour workweek regularly includes one or more workdays exceeding 8 hours, the regularly scheduled 40

hours of duty at basic rates constitutes the basic workweek for purposes of retirement and group life insurance deductions. Thus, for example, if an employee has a regularly scheduled workweek of four 10-hour days, the entitlement is for 32 hours pay at basic rates and 8 hours pay at overtime rates; retirement and group life insurance deductions, however, are computed on the basis of 40 hours of basic pay.

c. HOLIDAY PAY

GP and GA employees are entitled to compensation at holiday rates, not to exceed 8 hours, for hours worked on a legal holiday (or a day in lieu thereof) when such hours fall within the regularly scheduled tour, except when the employee is in a training status as described in paragraph 3 below. The holiday rate is 2 1/2 times the employee's basic pay. Compensatory time off may not be substituted for holiday rate payment.

(1) GENERAL (GP AND GA EMPLOYEES)

(a) Holiday pay is computed on the basic rate, which will include night differential when applicable to an employee's shift.

(b) Directed work performed entirely within the regularly scheduled tour on a holiday will be considered to be at least 2 hours in duration.

(c) When an employee is called back on a holiday to perform work outside the hours of the regular tour, such work is considered overtime work and the provisions of subparagraph 2b(5) above apply.

(d) When an employee is called back on holiday to perform work of less than 2 hours which falls partly during the hours of a regular tour and partly during an irregular overtime period, the entitlement is to 2 hours call-back overtime pay in addition to holiday pay for work performed during the hours of the regular tour.

(e) If an employee is called back to perform work on two or more separate occasions (each of which is within the hours of the regular tour) on a holiday, each separate call-back period will be considered to be at least 2 hours in duration, subject to the limitation that holiday rates are payable for no more than 8 hours.

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d. SUNDAY PAY

(1) AUTHORIZATION OF PAY FOR SUNDAY WORK

A wage employee whose regular work schedule includes an 8 hour period, a part of which is on Sunday, is entitled to additional pay at the rate of 25% of the hourly rate of basic pay for each hour performed during that 8 hour period. Sunday premium pay is limited to 8 hours. An employee working longer than that is paid overtime for all hours in excess of 8, at the same rate as for overtime performed on any other day.

(2) RELATION OF PREMIUM PAY FOR SUNDAY WORK TO OVERTIME, NIGHT, AND HOLIDAY PAY

Premium pay for Sunday work is in addition to premium pay for holiday work overtime pay, and night shift differential and is not included in the rate of basic pay used to compute the pay for holiday, overtime, and night work.

(3) ENTITLEMENT

Will include night differential pay.

A part-time employee is not entitled to premium pay for Sunday work. A full-time employee whose regularly scheduled tour of duty is less than 8 hours, any part of which falls between midnight Saturday and midnight Sunday, is entitled to premium pay for the number of hours regularly scheduled for the period.

(4) TWO SEPARATE TOURS OF DUTY

Consider overtime pay.

When an employee has two separate tours of duty on Sunday (such as a tour of duty that begins on Saturday and ends on Sunday, and another tour of duty that begins on Sunday and concludes on Monday) the entitlement is for premium pay for Sunday work not to exceed eight hours for each tour of duty.

3. PROHIBITION OF PREMIUM COMPENSATION FOR TRAINING

a. GENERAL

The Government Employees Training Act prohibits the payment of premium compensation for overtime, holiday duty, or night duty to employees participating in training programs under the Act, except as provided in subparagraph b below. The prohibition applies also to any time spent in a travel status incident to the training.

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b. EXCEPTIONS

(1) Employees who are given training during a period of duty for which they are already receiving overtime, holiday, Sunday or night differential pay shall continue to receive such premium compensation during the training, provided that this exception shall not apply to employees assigned to full-time training at institutions of higher learning. Thus, for example, an employee who is regularly assigned to a night shift, when given training for an hour each night (during regular duty hours), continues to receive the night differential for the entire tour, including the hour of training each night.

(2) Employees who are assigned to a night shift for job familiarization purposes (because situations which they must learn to handle occur only at night) will receive night differential for such night duty.

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Director of Personnel

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